



WEB COPY



Crl.O.P.No.16379 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.06.2025

CORAM

**THE HONOURABLE MR JUSTICE M.NIRMAL KUMAR**

Crl.O.P.No.16379 of 2025

1.K.Sathish @ Thennarasan  
2.S.Prakash Raj

... Petitioners/A2 & A3

Vs

State Rep. by its,  
Inspector of Police,  
Kelambakkam Police Station,  
Chengalpattu District.  
(Crime No.157 of 2025)

... Respondent

**Prayer:** Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 praying to enlarge the petitioners on bail in the event of their arrest by the respondent police in Crime No.157 of 2025 on the file of the respondent herein.

For petitioners : Mr.G.Magesh Kumar

For Respondent : Mr.R.Vinothraja  
Government Advocate (Crl. Side)



CrI.O.P.No.16379 of 2025

WEB COPY

## **ORDER**

The petitioners, who apprehend arrest at the hands of the respondent police for the offence punishable under Section 309(4) of BNS, 2023 in Crime No.157 of 2025, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the de-facto complainant came in contact with A1 through social media. A1 asked the de-facto complainant to meet him in a place, where A1 along with the petitioners robbed around Rs.30,000/- from the de-facto complainant through G-pay and assaulted him. Hence, the case.

3.The learned counsel for petitioner submitted that the petitioners are innocent persons and they have nothing to do with the alleged offence. He further submitted that there was a money dispute between A1 and the de-facto complainant, which was projected as robbery. He further submitted that the



Crl.O.P.No.16379 of 2025

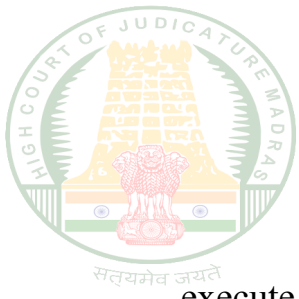
petitioners are ready to abide by any stringent condition that may be imposed by this Court.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police while opposing for grant of anticipatory bail to the petitioners, reiterated the prosecution case and submitted that now a sum of Rs.20,000/- recovered from A1, A1 was arrested and still he is in custody.

5. Heard both sides and perused the materials available on record.

6. Considering the facts and circumstances of the case, submissions made by the learned counsels on either side, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned **District Munsif cum Judicial Magistrate, Thiruporur** on condition that the petitioners shall



Crl.O.P.No.16379 of 2025

WEB COPY

execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only), with two sureties each for a like sum to the satisfaction of the respondent Police or the Police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:

[a] if the petitioners fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identify proofs to ensure their identity;

**[c] the petitioners shall report before the respondent Police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;**

[d] the petitioners shall not directly or indirectly cause any threat to the defacto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;



WEB COPY



CrI.O.P.No.16379 of 2025

[e] the petitioners shall make themselves available for interrogation by a Police officer as and when required;

[f] the petitioners to give an undertaking that if required for being identified by witnesses during investigation or for Police custody beyond the first fifteen days, they shall comply to the directions as may be given by the Court in this regard;

[g] the petitioners shall not abscond either during investigation or trial;

[h] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560];

[i] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

**06.06.2025**

rsi

5/6



WEB COPY



Crl.O.P.No.16379 of 2025

**M.NIRMAL KUMAR, J.**

rsi

To:

1.The District Munsif cum Judicial Magistrate,  
Thiruporur.

2. Inspector of Police,  
Kelambakkam Police Station,  
Chengalpattu District.

3.The Public Prosecutor,  
High Court Madras.

**Crl.O.P.No.16379 of 2025**

**06.06.2025**